

CR51328

CR51328

<b>THE STATE OF TEXAS</b>	<b>§</b>	<b>IN THE DISTRICT COURT</b>
	<b>§</b>	
<b>V.</b>	<b>§</b>	<b>238TH JUDICIAL DISTRICT</b>
	<b>§</b>	
<b>SEBASTIAN ALEXANDER ZAPATA</b>	<b>§</b>	<b>MIDLAND COUNTY, TEXAS</b>

**STATE'S MOTION FOR CONTINUANCE**

**COMES NOW** the State of Texas by and through her District Attorney and moves the Court to continue to another day the above entitled cause set for a TRIAL on March 5, 2019, wherein the defendant is charged with the offenses of ONLINE SOLICITATION OF A MINOR UNDER 14, and for cause would show the Court as follows:

A material witness for the State, Cody Allen, is subpoenaed in the case. Cody Allen is now with the Texas Rangers. In the early morning hours of March 5, 2019 there was an officer involved shooting in Midland, Texas. Officer Heidelberg with the Midland Police Department was shot and killed in the line of duty. Ranger Allen is the lead investigator for that case. Ranger Allen is investigating that case and will be unavailable for trial this week.

This Motion is not made for the purpose of delay but so that justice may be done and is the State's first motion for continuance in this cause. It is the State's belief that Cody Allen will be available for trial on March 11, 2019 and will be ready to present its case at that, or a later date.

**WHEREFORE, PREMISES CONSIDERED,** the State prays that the above entitled cause be continued for hearing at a later date.

Respectfully submitted,

\_\_\_\_\_  
/s/

Lacey Holloman  
Assistant District Attorney  
Midland County, Texas  
500 N. Loraine Street, Suite 200  
Ph: (432) 688-4426  
dal10@co.midland.tx.us

**CERTIFICATE OF SERVICE**

I, the below signed Attorney for Midland County, Texas, do hereby certify that on March 5, 2019, I sent a copy of the foregoing MOTION FOR CONTINUANCE by transmission through the authorized electronic filing manager or as otherwise permitted by law to Alvaro Martinez, the attorney of record for the defendant.

\_\_\_\_\_  
/s/

Lacey Holloman  
Assistant District Attorney  
Midland County, Texas  
500 N. Loraine Street, Suite 200  
Ph: (432) 688-4426  
dal10@co.midland.tx.us

CR51328

THE STATE OF TEXAS	§	IN THE DISTRICT COURT
	§	
V.	§	238TH JUDICIAL DISTRICT
	§	
SEBASTIAN ALEXANDER ZAPATA	§	MIDLAND COUNTY, TEXAS

**ORDER ON STATE'S  
MOTION FOR CONTINUANCE**

On this day came on for consideration the State's motion for a continuance of the trial of this cause and having considered, the same the Court is of the opinion that the said motion for continuance should be (GRANTED) (DENIED).

It is, therefore, **CONSIDERED, ORDERED AND DECREED** that the State's Motion for Continuance of the TRIAL in this cause be and is, hereby, (GRANTED) (DENIED).

Signed this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE PRESIDING  
238TH DISTRICT COURT  
MIDLAND COUNTY, TEXAS